

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

NOV 22 1996

DEPT. OF INSURANCE  
BY CRB

In the Matter of )  
)  
Vernon Raymond Wedge )  
License No. 0122806 )  
)  
Respondent. )  
)  
)  
)  
)

Docket No. 96A-118

**ORDER OF SUSPENSION  
FOR FAILURE TO COMPLY  
WITH COURT ORDERED  
CHILD SUPPORT**

Upon information obtained by the Licensing Supervisor of the Arizona Department of Insurance, the Director of Insurance makes the following findings of fact and conclusions of law and issues the following order:

**FINDINGS OF FACT**

1. On October 8, 1996, the Director of the Arizona Department of Insurance issued an Order in this matter placing Respondent on probation due to an arrearage in his court ordered child support obligations, pursuant to A.R.S. §§ 25-320(J) and 32-3701. A copy of the Director's Order is attached and incorporated herein.
2. By November 15, 1996, the Department had not received from Respondent the required monthly proof of full compliance with the court order which referred this matter to the Department of Insurance, or of any court imposed modification of that order.

**CONCLUSIONS OF LAW**

Grounds exist for the Director to automatically suspend the insurance license held by Respondent, pursuant to A.R.S. §§ 25-320(J) and 32-3701 and the Director's Order dated October 8, 1996.

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**ORDER**

IT IS ORDERED THAT:

1. The insurance license held by Respondent is automatically suspended upon entry of this order.
2. The suspension ordered hereby shall be vacated and Respondent shall be reinstated to probation in accordance with the Order dated October 8, 1996, upon Respondent providing proof of full compliance with the court order which referred this matter to the Department, or of any court imposed modification of that order, and subsequent written confirmation from the Pima County Attorney Office's Family Support Unit that Respondent is presently in full compliance with the court order.

DATED AND EFFECTIVE THIS 22<sup>nd</sup> day of November, 1996.

  
\_\_\_\_\_  
JOHN KING, DIRECTOR  
DEPARTMENT OF INSURANCE

1 Copies of the foregoing mailed this 22nd day of November, 1996.

2  
3 Vernon R. Wedge  
4 8501 East Sage Drive  
5 Scottsdale, Arizona 85250-6741

6 Charles R. Cohen, Deputy Director  
7 Maureen Catalioto, Licensing Supervisor  
8 Arizona Department of Insurance  
9 2910 North 44th Street, Suite 210  
10 Phoenix, Arizona 85018

11 Office of Administrative Hearings  
12 1700 West Washington, Suite 602  
13 Phoenix, Arizona 85007

14 Michael J. De La Cruz  
15 Assistant Attorney General  
16 1275 West Washington  
17 Phoenix, Arizona 85012

18 The Honorable Douglas Mitchell  
19 Judge of Pima County Superior Court  
20 110 West Congress  
21 Tucson, Arizona 85701

22 Rochelle Abell, Esq.  
23 Pima County Attorney  
24 Family Support Unit  
25 32 North Stone, Suite 1400  
26 Tucson, Arizona 85701-1412

27 James N. Corbett, Clerk of Court  
28 Pima County Superior Court  
Child Support Unit  
110 West Congress  
Tucson, Arizona 85701

24   
25 Curvey Walters Burton  
26  
27  
28

RECEIVED

OCT 9 1996

STATE OF ARIZONA

OCT 8 1996

LICENSING SECTION

DEPARTMENT OF INSURANCE

DEPT. OF INSURANCE  
BY                     

Docket No. 96A-118

## ORDER

Respondent.

a. The recommended findings of fact and conclusions of law are adopted.

b. The recommended order is vacated and in its place, the following order is entered:

It is ordered that:

1. In view of the finding that the suspension of the license issued to Vernon Raymond Wedge, license number 0122806, would create an extreme hardship to either the licensee or to person who the licensee serves, in lieu of suspension, Mr. Wedge shall be placed on probation for two years from the date of this order.

2. As a condition of this order of probation, the license held by Mr. Wedge shall be suspended automatically if, by the 15th day of each month following the issuance of this order, the Department has not received from Mr. Wedge proof of full compliance with the court order which



1 referred this matter to the Department, or of any court imposed modification of that order. For purposes  
2 of this provision, "proof of full compliance with the court order" means a certified copy of a receipt or  
3 other proof of payment issued by the court that documents Mr. Wedge's compliance with the court order  
4 which referred this matter to the Department. The "proof of full compliance with the court order" shall  
5 be sent to the following address:

6 Maureen Catalioto  
7 Licensing Division  
8 Arizona Department of Insurance  
2910 N. 44th St., Suite 210  
Phoenix, Arizona 85018

9 **NOTIFICATION OF RIGHTS**

10 The aggrieved party may request a rehearing with respect to this Order by filing a written  
11 petition with the Office of Administrative Hearings within 30 days of the date of this Order, setting forth  
12 the basis for such relief pursuant to A.A.C. R20-6-114(B).

13 The final decision of the Director may be appealed to the Superior Court of Maricopa  
14 County for judicial review pursuant to A.R.S. § 20-166.

15 EFFECTIVE this 8<sup>th</sup> day of October, 1996.

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18   
19 John King  
Director of Insurance  
20  
21  
22  
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1 A copy of the foregoing mailed  
this 8<sup>th</sup> day of October, 1996

2  
3 Charles R. Cohen, Deputy Director  
4 Catherine O'Neil, Assistant Director  
5 Mary Butterfield, Assistant Director  
6 Scott Greenberg, Business Manager  
7 Maureen Catalioto, Supervisor  
8 Department of Insurance  
9 2910 North 44th Street, Suite 210  
10 Phoenix, AZ 85018

11  
12 Office of Administrative Hearings  
13 1700 West Washington, Suite 602  
14 Phoenix, AZ 85007

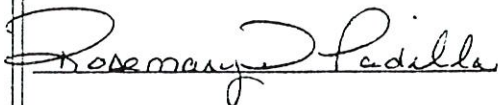
15  
16 Michael J. De La Cruz  
17 Assistant Attorney General  
18 1275 West Washington  
19 Phoenix, AZ 85012

20  
21 Vernon R. Wedge  
22 8501 East Sage Drive  
23 Scottsdale, AZ 85250-6741

The Honorable Douglas Mitchell  
Judge of Pima County Superior Court  
110 West Congress  
Tucson, AZ 85701

Rochelle Abell, Esq.  
Pima County Attorney  
Family Support Unit  
32 North Stone, Suite 1400  
Tucson, AZ 85701-1412

James N. Corbett, Clerk of Court  
Pima County Superior Court  
Child Support Unit  
110 West Congress  
Tucson, AZ 85701

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IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

VERNON RAYMOND WEDGE,

Respondent

No. 96A-118-INS

RECOMMENDED DECISION

OF ADMINISTRATIVE

LAW JUDGE

HEARING: September 10, 1996

APPEARANCES: Assistant Attorney General Michael J. De La Cruz on behalf  
of the Arizona Department of Insurance; and  
Vernon Raymond Wedge, Respondent.

ADMINISTRATIVE LAW JUDGE: Richard N. Blair

Based upon the entire record, the following recommended Findings of Fact,  
Conclusions of Law, and Recommended Order are made:

**FINDINGS OF FACT**

1. On August 31, 1995, the Arizona Department of Insurance (the  
"Department") issued Vernon Raymond Wedge ("Respondent") a life, disability and  
variable annuity insurance agent's license, License No, 0122806. That license expires  
on August 31, 1997.

2. On May 22, 1996, the Pima County Superior Court entered a Judgment  
against Respondent and in favor of Janet Victoria Wedge in In Re The Marriage Of:  
Vernon Raymond Wedge and Janet Victoria Wedge, Case No. D-56587 ("Case No. D-  
56587"), in the amount of \$5,590.74 for child support arrearages owed through May  
22, 1996. The Court further ordered the Department to conduct a hearing in accordance  
with A.R.S. §§ 25-320(J) and 32-3701 to consider the issue of suspending the  
Respondent's insurance agent license.

Office of Administrative Hearings  
1700 West Washington, Suite 602  
Phoenix, Arizona 85007  
(602) 542-9826



1           3.     The evidence established that the Respondent is the same individual  
2 against whom the Court entered judgment for child support arrearages in Case No. D-  
3 56587 as described above in paragraphs 2.

4           4.     It is undisputed that as of the date of the hearing the Respondent had not  
5 paid the \$5,590.74 child support arrearage.

6           5.     Pursuant to A.R.S. § 32-3701(B), a licensee may be placed on probation if  
7 the suspension of the license would create an extreme hardship.

8           6.     Respondent credibly testified that since 1980 his sole source of income  
9 has been as a self-employed insurance agent. Respondent has two minor children with  
10 his current spouse and two children from a previous marriage. According to the  
11 Respondent, the suspension of his insurance license would stop him from practicing his  
12 profession, eliminate his sole means of support, and deprive him of the means to  
13 satisfy the child support arrearage, therefore creating an extreme hardship to the  
14 Respondent and his family.

15                               CONCLUSIONS OF LAW

16           1.     The Director has jurisdiction to hear this matter.

17           2.     Pursuant to A.R.S. § 25-320(J) the Department was directed by the Pima  
18 County Superior Court to conduct a hearing to determine whether to suspend  
19 Respondent's insurance license.

20           3.     Pursuant to A.R.S. § 32-3701 the Department shall suspend the license of  
21 any insurance licensee or, in lieu of suspension and upon a finding of extreme  
22 hardship, the Director may place the licensee's license on probation, if the licensee is in  
23 arrears for the payment of child support.

24           4.     Respondent has established by a preponderance of the evidence that the  
25 suspension of his insurance agent license would create an extreme hardship.

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RECOMMENDED ORDER

In view of the foregoing, it is recommended that the insurance agent license of Vernon Raymond Wedge, License No. 0122806, be placed on probation for a period not to exceed two years in accordance with the conditions set forth in A.R.S. § 32-3701.

Done this day, September 12, 1996.

OFFICE OF ADMINISTRATIVE HEARINGS



Richard N. Blair  
Administrative Law Judge

*Original*

Copy transmitted by mail

September 12, 1996

by Chris Crawford; to:

John King, Director  
Department of Insurance  
ATTN: Curvey Burton  
2910 North 44th Street, #210  
Phoenix, AZ 85018-7256

ARIZONA SUPERIOR COURT, PIMA COUNTY

COMMISSIONER: HON. DOUGLAS MITCHELL

CASE NO. D-56587

COURT REPORTER: NONE

DATE: May 22, 1996

IN RE THE MARRIAGE OF:

VERNON RAYMOND WEDGE

Petitioner

Petitioner's Attorney

and

JANET VICTORIA WEDGE

Respondent

Rochelle Abell

Respondent's Attorney

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MINUTE ENTRY

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REVIEW HEARING:

Petitioner not present; respondent present.

Ms. Abell provides the Court with the background and current status of this case.

FILED IN COURT: CHILD SUPPORT ARREARAGE WORKSHEET

This matter having come before the Court for a Review Hearing based on petitioner's failure to appear at the May 15, 1996 hearing due to last minute notification of car trouble and the Court having again received last minute notification, at 1:40 p.m., of petitioner's car problems and his leaving Phoenix at that time and it now appearing to the Court at 3:40 p.m. that respondent is not yet present; and, based upon the record of payments and the substantial amount of child support arrears which have accrued as of this date,

THE COURT FINDS that petitioner is in contempt of this Court's Order pursuant to A.R.S. §12-2452(e) and the Court being informed that petitioner is a licensed insurance agent,

IT IS ORDERED directed the State Licensing Board for Insurance agents to conduct a hearing in accordance with Title 32, Chapter 37, concerning the suspension of petitioner's license or certificate.

Sheila Leonard  
Deputy Clerk

MAY 20 1996

MINUTE ENTRY

Page: 2

Date: May 22, 1996

Case No: D-56587

The State Licensing Board shall conduct a hearing pursuant to A.R.S. §32-3701 to suspend the license or certificate of petitioner, Vernon Raymond Wedge.

IT IS FURTHER ORDERED based upon petitioner's failure to appear that if he has not made contact with this Court or with Child Support Services by 4:30 p.m. this date, a civil arrest warrant will issue with bond set in the amount of \$5,000.00.

IT IS FURTHER ORDERED setting this matter for a Review Hearing on June 12, 1996 at 1:30 p.m.. Petitioner is admonished that should he fail to appear at the scheduled Review Hearing a civil arrest warrant will issue.

Based upon the record of payments,

IT IS ORDERED that a superseding judgment is entered in favor of the respondent and against the petitioner in the amount of \$5,590.74 as and for child support arrears accrued through this date.

4:45 p.m. this date. The Court has been informed that petitioner has appeared at the office of Rochelle Abell, Atty at Law, Child Support Services.

The Court signs this minute entry in lieu of a more formal Order.

  
Hon. Douglas Mitchell

cc: Hon. Douglas Mitchell  
Domestic Calendaring  
Clerk of Court - Child Support Unit  
County Attorney - Family Support Unit, Rochelle Abell, Atty at Law  
Vernon Raymond Wedge, 8501 E. Sage Dr., Scottsdale, AZ 85250

Sheila Leonard  
Deputy Clerk